

**AGREEMENT TO TRANSFER PROPERTY OR FUNDS
FOR 2006 HOMELAND SECURITY GRANT PROGRAM PURPOSES**

THIS AGREEMENT is entered into this _____ day of _____ 200__, which date is enumerated for purposes of reference only, by and between the COUNTY OF ORANGE, a political subdivision of the State of California, hereinafter referred to as "COUNTY", and _____, a (municipal corporation/special district/not-for-profit corporation), hereinafter referred to as "SUBGRANTEE."

WHEREAS, COUNTY, acting through its Sheriff-Coroner Department in its capacity as the lead agency for the Orange County Operational Area, has applied for, received and accepted a grant from the State of California, acting through its Office of Homeland Security, to enhance county-wide emergency preparedness, hereinafter referred to as "the grant", as set forth in the grant documents that are attached hereto as Attachments A (FY 06 CA Supplement to Federal Program Guidelines) and B (2006 Project Matrix) and incorporated herein by reference.

WHEREAS, the terms of the grant require that COUNTY use certain grant funds to purchase equipment, technology or services that will be transferred to SUBGRANTEE to be used for grant purposes.

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. COUNTY shall transfer to SUBGRANTEE the equipment, technology or services as specified in Attachment B hereto, which is incorporated herein by reference. If the grant requires COUNTY to transfer to SUBGRANTEE equipment, technology or services that COUNTY has not yet acquired, COUNTY shall transfer said equipment, technology or services to SUBGRANTEE as soon after acquisition by COUNTY as is reasonably practicable.

2. If COUNTY transfers grant funds to SUBGRANTEE, SUBGRANTEE shall use said grant funds only to acquire equipment, technology or services as set forth in Attachment B hereto and/or to perform such other grant functions, if any, for which Attachments A and B permit SUBGRANTEE to

1 expend grant funds. SUBGRANTEE shall provide COUNTY with a budget breakdown signed by the
2 authorized agent.

3 3. Throughout its useful life, SUBGRANTEE shall use any equipment, technology or
4 services acquired with grant funds only for those purposes permitted under the terms of the grant, and
5 shall make it available for mutual aid response.

6 4. SUBGRANTEE shall exercise due care to preserve and safeguard equipment acquired
7 with grant funds from damage or destruction and shall provide regular maintenance and repairs for said
8 equipment as are necessary, in order to keep said equipment in continually good working order. Such
9 maintenance and servicing shall be the sole responsibility of the SUBGRANTEE, who shall pay for
10 material and labor costs for any maintenance and repair of the said equipment throughout the life of the
11 said equipment.

12 5. SUBGRANTEE shall assume all continuation costs of said equipment, technologies
13 and/or services to include but not limited to upgrades, licenses and renewals of said equipment,
14 technologies and/or services.

15 6. If equipment acquired with grant funds becomes obsolete or unusable, SUBGRANTEE
16 shall notify COUNTY of such condition. SUBGRANTEE shall transfer or dispose of grant-funded
17 equipment only in accordance with the instructions of COUNTY.

18 7. SUBGRANTEE agrees to indemnify, defend and save harmless COUNTY and their
19 elected and appointed officials, officers, agents and employees from any and all claims and losses
20 accruing or resulting to any and all contractors, subcontractors, laborers, and any other person, firm or
21 corporation furnishing or supplying work services, materials or supplies in connection with
22 SUBGRANTEE's performance of this Agreement, including Attachments A and B hereto, and from any
23 and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or
24 damaged by SUBGRANTEE in the performance of this Agreement, including Attachments A and B
25 hereto.

26 8. By executing this Agreement, SUBGRANTEE agrees to comply with and be fully bound
27 by all applicable provisions of Attachments A and B hereto. SUBGRANTEE shall notify COUNTY
28

1 immediately upon discovery that it has not abided or no longer will abide by any applicable provision of
2 Attachments A and B hereto.

3 //

4 9. SUBGRANTEE and COUNTY shall be subject to examination and audit by the State
5 Auditor General with respect to this Agreement for a period of three years after final payment
6 hereunder.

7 10. No alteration or variation of the terms of this Agreement shall be valid unless made in
8 writing and signed by duly authorized representatives of the parties hereto, and no oral understanding or
9 agreement not incorporated herein shall be binding on any of the parties hereto.

10 11. SUBGRANTEE may not assign this Agreement in whole or in part without the express
11 written consent of COUNTY.

12 12. For a period of three years after final payment hereunder or until all claims related to this
13 Agreement are finally settled, whichever is later, SUBGRANTEE shall preserve and maintain all
14 documents, papers and records relevant to the work performed or property or equipment acquired in
15 accordance with this Agreement, including Attachments A and B hereto. For the same time period,
16 SUBGRANTEE shall make said documents, papers and records available to COUNTY and the agency
17 from which COUNTY received grant funds or their duly authorized representative(s), for examination,
18 copying, or mechanical reproduction on or off the premises of SUBGRANTEE, upon request during
19 usual working hours.

20 13. SUBGRANTEE shall provide to COUNTY all records and information requested by
21 COUNTY for inclusion in quarterly reports and such other reports or records as COUNTY may be
22 required to provide to the agency from which COUNTY received grant funds or other persons or
23 agencies.

24 14. COUNTY may terminate this Agreement and be relieved of the payment of any
25 consideration to SUBGRANTEE if a) SUBGRANTEE fails to perform any of the covenants contained
26 in this Agreement, including Attachments A and B hereto, at the time and in the matter herein provided,
27 or b) COUNTY loses funding under the grant. In the event of termination, COUNTY may proceed with
28 the work in any manner deemed proper by COUNTY.

1 15. SUBGRANTEE and its agents and employees shall act in an independent capacity in the
2 performance of this Agreement, including Attachments A and B hereto, and shall not be considered
3 officers, agents or employees of COUNTY or of the agency from which COUNTY received grant funds.

4 IN WITNESS WHEREOF, the parties have executed this Agreement in the County of Orange,
5 State of California.

6
7 DATED: 5/10, 2006⁷

COUNTY OF ORANGE, a political
subdivision of the State of California

8
9
10 By



Sheriff-Coroner
"COUNTY"

11 APPROVED AS TO FORM:

12 COUNTY COUNSEL

13
14 By 
15 Nicole A. Sims, Deputy

16 DATED: 10/6, 2006

17
18 DATED: _____

SUBGRANTEE

19
20 By: _____

21
22 By: _____

23 ATTEST:

24
25 By _____
City Clerk

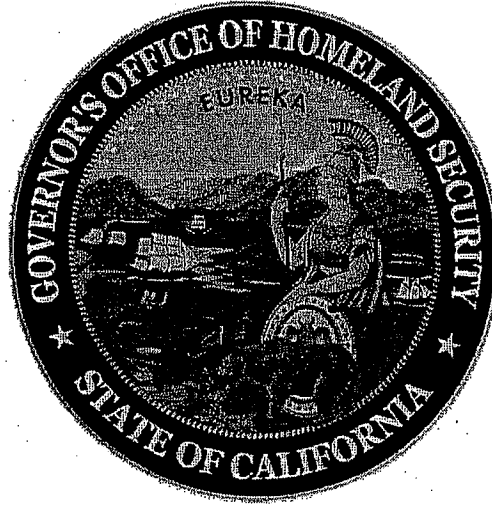
26 DATED: _____, 2006

27
28

Attachment

A

Governor's Office of Homeland Security



FY06 Homeland Security Grant Program

California Supplement to Federal Program Guidance and Application Kit

April 3, 2006

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Foreword: Director's Message

The Governor's Office of Homeland Security (OHS) is pleased to release the FY2006 Homeland Security Grant Program (HSGP) guidance. Along with its introduction are several important changes to the grant process beginning this year. First, subgrantees will need to prioritize their expenditure of funds in meeting homeland security goals and objectives. Funds not utilized in a timely fashion will be reallocated to those agencies or jurisdictions with a demonstrated need and use of the grant award. Second, all applications must include a ten (10) percent allotment for training purposes, specifically on equipment that was purchased and successful courses that have been developed. As you review this Grant Guide, you will note some variations from prior years which attempt to incorporate the core United States Department of Homeland Security (DHS) Office of Grants and Training (G&T) programs into a unified process which seeks to:

- Employ a risk and need-based allocation process;
- Provide funding to build and sustain capabilities in support of the National Preparedness Goal and National Priorities;
- Allow flexibility at State and Local level to support Goal implementation; and
- Clearly articulate the differences between the component grant programs.

The federal DHS has consolidated the administration of five (5) programs into one (1) application package and the California OHS has followed this direction as well. With this Grant Guide and Application Kit you will be able to apply for these distinct programs: State Homeland Security Program (SHSP), Urban Areas Security Initiative (UASI), Law Enforcement Terrorism Prevention Program (LETPP), Metropolitan Medical Response System (MMRS), and Citizen Corps Program (CCP). Additionally, State Agencies and Port Districts shall also be eligible to apply for FY06 funding via this application process.

The prevention of a terrorist attack is the number one priority for the OHS and is based on public safety partnerships in information sharing at the local and regional level. To compliment federal efforts, California has created four (4) mutually supporting Regional Terrorism Threat Assessment Centers (RTTAC) aligned with the four (4) Federal Bureau of Investigation (FBI) Field Offices in the state (San Diego, Los Angeles, San Francisco, and Sacramento), as well as the State Terrorism Threat Assessment Center (STTAC), all linked by a common information sharing system, the California Joint Regional Information Exchange System (CAL JRIES). Agencies currently participating are encouraged to sustain their commitment to their regional RTTACs, to CAL JRIES, and to the Terrorism Liaison Officers (TLOs) concept of individuals trained in the review and assessment of local reporting, and agencies not participating are encouraged to join.

We look forward to your continued collaboration towards our homeland security strategy and our efforts in protecting California. Through the joint development of the state's Enhancement Plan and Investment Justifications, we will work together towards achieving the four (4) mission areas of the National Preparedness Goal: prevent, protect, respond, and recover.

MATTHEW R. BETTENHAUSEN

Executive Director

Governor's Office of Homeland Security

Chapter One

Overview

In this Chapter This chapter contains the following topics:

- Federal Program Guidance and Updates
- Purpose of the California Supplement to the Federal Program Guidance
- Purpose of the Homeland Security Grant Program
- Eligible Subgrant Recipients and Allocations
- When are the Applications Due?
- State Contact Information.

Federal Program Guidance and Updates

The U.S. Department of Homeland Security (DHS) published the *FY 2006 Homeland Security Grant Program, Program Guidance and Application Kit*, on **December 2, 2005**. Revision pages were issued on **January 3, 2006**.

The *Guidance and Application Kit* may be obtained at
<http://www.ojp.gov/odp/docs/fy2006hsgp.pdf>.

The U.S. DHS periodically publishes Information Bulletins to release, update, amend or clarify grants and programs which they administer. DHS's Information Bulletins can be found at
<http://www.ojp.usdoj.gov/odp/docs/bulletins.htm>.

Bulletins specific to the FY 06 Homeland Security Grant Program:

- **Information Bulletin # 202 – February 8, 2006**
Application Review and Scoring Approach for Fiscal Year (FY) 2006 Homeland Security Grant Program - [PDF](#)
- **Information Bulletin # 201 – February 3, 2006**
FY 2006 Allocation Amounts: Emergency Management Performance Grant (EMPG), Metropolitan Medical Response System (MMRS), and Citizen Corps (CCP) - [PDF](#)
- **Information Bulletin # 200 – January 3, 2006**
Updated Information about the Urban Areas Security Initiative (UASI) and the Fiscal Year (FY) 2006 Homeland Security Grant Program (HSGP) Program Guidance and Application Kit - [PDF](#)
(Attachments: [Program Guidance and Application Kit](#))
- **Information Bulletin # 199 – December 20, 2005**
Responding to Inquiries about Fiscal Year (FY) 2006 Homeland Security Grant Program (HSGP) Application Submissions - [PDF](#)
- **Information Bulletin # 198 – December 2, 2005**
Department of Homeland Security (DHS) Fiscal Year (FY) 2006 Homeland Security Grant Program (HSGP) Program Guidance and Application Kit - [PDF](#)

Purpose of the California Supplement to the Federal Program Guidance

The *California Supplement* to the Federal Program Guidance is intended to complement, rather than replace, the Guidance published by the United States Department of Homeland Security's (DHS), Office of Grants and Training. The *Supplement* will emphasize differences between the FY 05 and FY 06 Homeland Security Grant Programs, and will include additional California policies and requirements applicable to FY 06 HSGP.

Purpose of the Homeland Security Grant Program

The U.S. Department of Homeland Security, through the Office of Grants and Training, is providing funding to California to enhance the ability of the state, urban areas, local jurisdictions, to prevent, deter, respond to and recover from threats and incidents of terrorism.

Eligible Subgrant Recipients and Allocations

Eligible subgrant recipients, referred to as subgrantees, differ for each program. Generally, eligible subgrant recipients will remain the same as in FY 05. Subsequent to DHS's announcement of funding to California on **May 31, 2006**, additional subgrantee and allocation information will be made available.

NOTE: All subgrantees are encouraged to coordinate with Tribal Governments to ensure that Tribal needs are considered in the subgrantees' applications.

NOTE: Subgrantees may contract with any other public or private organization to perform eligible activities on approved projects.

When are the Applications Due?

Completed applications are due no later than **Friday, June 30, 2006**. Only applications postmarked by the due date will be accepted. Additional information will be requested or accepted from subgrantees at the sole discretion of the Governor's Office of Homeland Security (OHS). Applications lost in transit are the responsibility of the applicant and will not be considered for funding.

The mailing address for all applications is:

Governor's Office of Homeland Security
ATTN: Grant Management Section
State Capitol
Sacramento, CA 95814

Continued on next page

**State Contact
Information**

All subgrant related questions, comments and correspondence should be directed to the state contacts listed below:

Governor's Office of Homeland Security
ATTN: Grants Management Section
State Capitol
Sacramento, CA 95814-4900

(916) 324-8908
(916) 323-9633 Fax

<http://www.homeland.ca.gov/grants.html>

Regional Map and Contact Info

<http://www.homeland.ca.gov/pdf/map.pdf>

Governor's Office of Homeland Security Website

<http://www.homeland.ca.gov/>

Office for Domestic Preparedness Secure Portal

<https://odp.esportals.com/index.cfm>

To obtain access to the ODP Secure Portal please contact BJ Bjornson, Secure Portal Administrator, Office of Homeland Security, Training and Exercise Program (T&E).

winfield.bjornson@us.army.mil

(916) 826-4488

Office for Domestic Preparedness, Grant Reporting Tool (GRT)

<https://www.reporting.odp.dhs.gov>

Chapter Two

State Policies and Requirements

In this Chapter This chapter contains the following topics:

- Approval Authority Body - SHSP and LETPP ONLY
 - Allocations by Discipline - SHSP ONLY
 - Allocations by Program Activity
 - Governing Body Resolution
 - Grant Assurances
 - California Public Records Act
 - Exercises
 - Post Award Modifications
 - Monitoring Subgrant Performance
 - Suspension or Termination
 - Closeout
-

**Approval
Authority Body
- SHSP and
LETPP ONLY**

Operational Areas must appoint an Anti-Terrorism Approval Body (Approval Authority) to have final approval of the OA's application for SHSP and LETPP funds. The Approval Authority shall consist of the following representatives, and additional voting members may be added by a simple majority vote of the following standing members:

- County Public Health Officer or designee responsible for Emergency Medical Services
- County Fire Chief or Chief of Fire Authority
- Municipal Fire Chief (selected by the Operational Area Fire Chiefs)
- County Sheriff
- Chief of Police (selected by the Operational Area Police Chiefs)

Each member of the Approval Authority must provide written agreement with the OA's application for SHSP and LETPP funds.

NOTE: A list of the Approval Body members, and associated contact information, must be submitted with the FY 06 HSGP application.

Continued on next page

State Policies and Requirements, Continued

Allocations by Discipline - SHSP ONLY

Operational Areas must allocate SHSP funds as follows:

- Fire services - 20%
- Police services - 20%
- Emergency medical services - 20%
- All other disciplines (discretionary) - 40%

NOTE: The Approval Authority may change the allocation percentages with a 4/5th vote.

Allocations by Program Activity

Generally, there are no state restrictions or preferences on how subgrantees allocate funds across eligible program activities.

However, not less than ten percent (10%) of all subgrantee applications must be allocated to Training activities.

Governing Body Resolution

The *Governing Body Resolution* appoints agents authorized to execute any actions necessary for each application and subgrant.

NOTE: All applicants will be required to submit a new Governing Body Resolution with their FY 06 HSGP application. A sample Resolution can be found in Appendix B- Forms.

Grant Assurances

The *Grant Assurances* form lists the requirements to which the subgrantees will be held accountable.

NOTE: All applicants will be required to submit new Grant Assurances with their FY 06 HSGP application. A sample Assurances form can be found in Appendix B - Forms.

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State Policies and Requirements, Continued

California Public Records Act

The details of any application, modification, report, and payment request will be subject to the provisions of the California Public Records Act (Governmental Code Section 6250 et seq.). This means that all, or part, of the information provided to the state may be publicly disclosed. While the state will make every effort to protect sensitive information, it is imperative that information provided to the state does not contain information that constituent jurisdictions or agencies believe are confidential. The applicant's and subgrantee's failure to protect such information from disclosure may jeopardize the safety and security of the people of the State of California. For example, do not specifically identify potential targets, locations, and their vulnerabilities if this information is not already public knowledge. While bridges and shopping malls are well known targets, key distribution points of petroleum products and data storage facilities are not. Applicants and subgrantees should prepare and submit information to the state with the expectation that it may be made publicly available. If there are any questions about the inclusion of sensitive information in any information provided to the state, contact the Governor's Office of Homeland Security (OHS).

Exercises

Subgrantees must conduct threat- and performance-based exercises in accordance with G&T's Homeland Security Exercise and Evaluation Program (HSEEP) manuals. Once an exercise paid for with grant funds has been scheduled, subgrantees must notify the Office of Homeland Security, Training and Exercise Program (T&E) of the exercise date, time, location, and point of contact information. T&E will maintain a web-based master schedule of all exercises occurring throughout the state, to increase communication and coordination of all exercises.

Exercise After Action Reports (AAR) and Improvement Plans (IP) **must be provided to G&T within 60 days** following the completion of each exercise. Delivery to G&T is accomplished by posting the AAR and IP in the appropriate portion of the G&T secure portal.

T&E is the subgrantee's point of contact for exercise related issues and questions. Subgrantees may contact the T&E at (916) 826-4488, or by e-mail to winfield.bjornson@us.army.mil.

Information Analysis

Regional Terrorist Threat Assessment Center (RTTAC)

Governor Schwarzenegger has emphasized that prevention of a terrorist attack must be the number one priority for the Office of Homeland Security (OHS). As a major part of the prevention component of California's Homeland Security Strategy, our plan to detect, deter and prevent terrorism in California is based on public safety partnerships in information sharing and at the regional and local level. These partnerships bring together federal, state and local law enforcement agencies, and their respective law enforcement, public safety and criminal information systems, including those of the U.S. Department of Homeland Security (DHS) and the Federal Bureau of Investigation (FBI). To compliment federal efforts, California has created four mutually supporting Regional Terrorism Threat Assessment Centers (RTTACs), aligned with the four FBI Field Offices in the state (San Diego, Los Angeles, San Francisco and Sacramento), and a State Terrorism Threat Assessment Center (STTAC), all linked by a common information sharing system, the California Joint Regional Information Exchange System (CAL JRIES).

State Terrorism Threat Assessment Center (STTAC)

The State Terrorism Threat Assessment Centers (STTAC) is a partnership of the California Department of Justice, the California Highway Patrol and the California Office of Homeland Security (OHS), with representation of allied state and federal agencies. The State Center is designed to provide California's senior leaders with real time situational awareness of identified threats, visibility of and coordination with the critical infrastructure of the state, and constant access to the latest local, state and national information analysis products and to maintain strategic assessments of threats that can affect California.

Terrorism Liaison Officer (TLO)

The RTTACs develop a regional threat assessment picture, have analytical functions and directly connect the state and federal systems to share information and produce assessments, reports and other threat and warning products. At the local level law enforcement and public safety agencies designate Terrorism Liaison Officers (TLOs) who are trained in the review and assessment of local reporting and in conducting outreach to other public safety agencies, critical infrastructure operators and community groups. The TLO is the local agency point of contact for all terrorism-related alerts, requests for information, warnings and other notifications from regional, state or federal homeland security agencies. The TLOs review local agency reports, manage local reporting and initiate or respond to requests for information. Through the single web-based state terrorism website contained in CAL JRIES, the TLOs and their agency have access to all available terrorisms alerts, notices, information and documents with searchable databases.

The California threat assessment system not only serves to protect California, it also fully compliments and serves the needs of both the FBI and DHS, providing access to information from the local police officer to national analyst and investigator, all sharing access to information and sharing relevant products to ensure better safety for our state and nation. The system is fully compatible with the National Criminal Information Sharing Plan from the U.S. Department of Justice, and our regional information sharing strategy is the largest and most comprehensive in the nation. Agencies currently participating in our state system and encouraged to sustain their commitment to their regional RTTACs, to CAL JRIES and to the TLO concept, and agencies not yet participating are encouraged to join. Information regarding the Regional Terrorism Threat Assessment Center supporting your jurisdiction can be obtained from OHS by contacting us at IA@ohs.ca.gov, or referring to our website for information directing you to the respective supporting RTTAC.

Continued on next page

State Policies and Requirements, Continued

Post Award Modifications

Post award budget, scope and time modifications must be requested using the **OHS Financial Management Forms Workbook**, by the subgrantee's Authorized Agent, and submitted to the subgrantees Program Representative in the Grant Administration Unit at the Governor's Office of Homeland Security. Upon approval the subgrantee will be instructed to make the required changes in the Office for Domestic Preparedness (ODP), Grants Reporting Tool (GRT) <https://www.reporting.odp.dhs.gov> . The subgrantee may implement the modifications, and incur associated expenses, **after** receiving **written final approval** of the modification from the State.

NOTE: Modifications can be requested once per quarter during the grant performance period. Failure to submit modification requests, and receive written approval prior to expenditure, could result in a reduction or disallowance of that part of the grant.

Subgrantee Performance Reports

Subgrantees must prepare and submit performance reports to the state for the duration of the grant performance period, or until all grant activities are completed and the grant is formally closed. Subgrantees must complete a Biannual Strategy Implementation Report (BSIR) using the Office for Domestic Preparedness (ODP), Grants Reporting Tool (GRT) <https://www.reporting.odp.dhs.gov> , and will also be required to submit additional information and data requested by the state.

Failure to submit performance reports could result in grant reduction, termination or suspension.

Monitoring Subgrantee Performance

The state is currently conducting a program of sub-grantee monitoring. The monitoring will be conducted on the subgrantees administrative, programmatic and fiscal management of the grant(s).

These reviews may include, but are not limited to:

- Eligibility of expenditures
 - Comparing actual subgrantee activities to those approved in the subgrant application and subsequent modifications, if any.
 - Ensuring that advances have been disbursed in accordance with applicable guidelines.
 - Confirming compliance with:
 - Grant Assurances.
 - Information provided on performance reports and payment requests.
 - Needs and threat assessments and strategies.
-

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State Policies and Requirements, Continued

Suspension or Termination

The State may suspend or terminate subgrant funding, in whole or in part, or other measures may be imposed for any of the following reasons:

- Failing to expend funds in a timely manner consistent with the grant milestones, guidance and assurances.
- Failing to comply with the requirements or statutory objectives of federal or state law.
- Failing to make satisfactory progress toward the goals or objectives set forth in the subgrant application.
- Failing to follow grant agreement requirements or special conditions.
- Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
- Failing to submit required reports.
- Filing a false certification in the application or other report or document.

Before taking action, the state will provide the subgrantee reasonable notice of intent to impose measures and will make efforts to resolve the problem informally.

Closeout

The State will close a subgrantee award after:

- Receiving a subgrantee Performance Report indicating that all approved work has been completed, and all funds have been disbursed;
- Completing a review to confirm the accuracy of reported information; and,
- Reconciling actual costs to awards, modifications and payments.

If the closeout review and reconciliation indicates that the subgrantee:

- is owed additional funds, the state will send the final payment automatically to the subgrantee.
- did not use all funds received, the state will issue an Invoice or Grant Modification letter to recover unused funds.

In the Grant Closeout letter, the state will notify the subgrantee of the start of the record retention period for all programmatic and financial grant related records.

NOTE: Failure to maintain all grant records for the required retention period could result in a reduction of eligible grant activities, and an invoice to return costs associated with the unsupported activities.

Chapter Three

Program Changes

In this Chapter This chapter contains the following topics:

- Program Changes
 - National Initiatives
 - Operational Costs and Border Security
 - Personnel Costs
 - Management and Administrative Costs
 - Advances and Interest Earned on Advances
 - Payment Request Process
 - Non-G&T Developed Courses
 - Authorized Equipment List and Equipment Purchase Assistance Program
 - Construction and Renovation
 - UASI
 - MMRS
 - CCP
 - State Agencies
 - Ports
-

**Program
Changes**

The FY06 Homeland Security Grant Program (HSGP) contains many changes from the FY 06 program. Subgrantees should carefully read the following items to understand all FY 06 HSGP requirements, guidelines and changes:

- **U.S. DHS Program Guidance and Application Kit**

<http://www.ojp.gov/odp/docs/fy2006hsgp.pdf>

- **Associated DHS Information Bulletins**

<http://www.ojp.usdoj.gov/odp/docs/bulletins.htm>

- **California Supplement to Federal Program Guidance and Application Kit**

<http://www.homeland.ca.gov/grants.html>

The remainder of this chapter is devoted to selected items that have changed from FY 05 HSGP.

Continued on next page

Program Changes, Continued

National Initiatives

National Initiatives include:

- Implementing the National Incident Management System (NIMS)
 - Implementing Homeland Security Presidential Directive (HSPD 8)
 - Implementing the National Response Plan (NRP), including the Catastrophic Incident Response Annex (CIRA) to the NRP
 - Achieving tactical interoperable communications
 - Institutionalizing awareness training
 - Public awareness and citizen participation
-

**Operational
Costs and
Border Security**

The federal DHS now allows up to 25% of the UASI and LETPP funds to be used for certain operational expenses. See the U.S. DHS *Program Guidance and Application Kit*, for a full description of allowable Operational costs.

Additionally, UASI and LETPP funding may be used for certain operational costs in support of federal agencies for increased border security.

See information bulletin below for additional information on "Operation Stonegarden".

- **Information Bulletin # 204 – March 20, 2006**

Operation Stonegarden - [PDF](#)

(Attachments: [ACPA Contact Info list.xls](#))

**Personnel
Costs**

Hiring, overtime, and backfill expenses are allowable only to perform programmatic activities deemed allowable under existing guidance. **Supplanting, however, is not allowed.**

Up to 15% of programmatic spending may be used to support the hiring of full or part-time personnel to conduct program activities that are allowable under the entire FY 2006 HSGP (i.e., planning, training program management, exercise program management, etc). Grantees may request that DHS issue a waiver to increase that ceiling. Waiver decisions are at the discretion of DHS and will be considered on a case-by-case basis. The ceiling on personnel costs does not apply to contractors, and is in addition to eligible M&A costs and eligible hiring of intelligence analysts. Grantees may hire staff only for program management functions not operational duties. Hiring planners, training program coordinators, exercise managers, and grant administrators fall within the scope of allowable program management functions. **Grant funds may not be used to support the hiring of sworn public safety officers to fulfill traditional public safety duties.**

**Management
and
Administrative
Costs**

The federal DHS has increased the subgrantee Management and Administrative (M&A) allowance to a maximum of 3% of their subgrant on all FY 06 HSGP programs.

Continued on next page

Program Changes, Continued

Advances and Interest Earned on Advances

The U.S. Department of Homeland Security allows subgrantees to request FY 06 HSGP funds up to 120 days prior to expenditure/disbursement, or on a reimbursement basis. The federal guide requires that advances **must be deposited in interest-bearing accounts**, and describes how interest earned should be returned quarterly to the federal government.

In addition to returning interest in accordance with the prescribed federal guidance, subgrantees must also inform the grantees Program Representative in the Grant Administration Unit at the Governor's Office of Homeland Security, of any interest returned on program funds.

Payment Request Process

To request advance or reimbursement payment of FY 06 HSGP funds, complete a payment request form using the OHS Financial management Forms Workbook and return it to the appropriate Program Representative in the Grant Administration Unit at the Governor's Office of Homeland Security.

OHS Financial Management Forms Workbook V 1.2

<http://www.homeland.ca.gov/grants.html>

NOTE: Payments can only be made if the subgrantee has an approved application, valid Governing Body Resolution and valid Grant Assurance form.

Non-G&T Developed Courses

When seeking DHS approval of non-G&T developed courses, the most notable changes:

- Course materials must be submitted with the approval request; and,
- Conditional approvals are no longer offered.

The Office of Homeland Security HSTEOP will release additional training related information at a later date.

Continued on next page

Program Changes, Continued

Authorized Equipment List and Equipment Purchase Assistance Program

The Authorized Equipment List (AEL) may now be found on the web at <http://www.rkb.mipt.org>.

The federal Department of Homeland Security's Equipment Purchase Assistance Program (EPAP)* allows grantees access to the Defense Logistics Agency's (DLA) "prime vendors". California has established an on-line purchase process with Fisher Safety, a DLA prime vendor that will allow subgrantees access to the EPAP. Benefits of the program include shorter procurement lead time, online ordering and a diverse inventory of products. However, Fisher Safety may not carry all items on the AEL and standard subgrantee procurement processes should be followed to obtain those items.

Subgrantee participation in EPAP is voluntary. Expansion of this program to prior year Homeland Security and Urban Areas grants is under consideration.

Subgrantees must submit an ***Equipment Inventory from the OHS Financial Management Workbook*** with their application package. The *Workbook* is available at <http://www.homeland.ca.gov/grants.html>, and indicates, by project and funding source, the value of equipment purchases to be made through Fisher Safety, or through the subgrantee's standard procurement processes. Subgrantee funds committed to Fisher Safety will be paid by the state, directly to DLA, upon Fisher Safety's notification that subgrantee ordered equipment has been shipped. Consequently, the ***funds committed to Fisher Safety will not be available for subgrantees to request as either an advance or reimbursement payment.***

To view Prime Vendor pricing on the Quartermaster website and try out the site without placing an order.

1. Go to Fisher Safety's website www.fishersafety.com
2. Under the username enter "caprimevendor"
3. Under the password type "california" in lowercase.
4. Common reimbursable products can be view by SEL/AEL categories under the ***Hotlist*** link in the top right corner
5. All Products can be found in ***Search*** by typing in part numbers, descriptions, and manufacturer's names. Search will show all items in Fisher's system but will highlight the reimbursable ones with a small green "***P***" and labeled ***CA OHS/OES reviewed item.***

If anyone requires any additional help, they can call our Quartermaster Hotline 1-888-764-3572 or email us at CS.Quartermaster@fishersci.com.

**Construction
and Renovation**

Use of FY 06 funds for construction and renovation is generally prohibited, however with written approval by the Assistant Secretary for the Office of Grants and Training, up to \$1.0 million may be used for construction.

NOTE: Written approval must be provided by DHS prior to the use of any FY 06 funds for construction or renovation. This includes the allowable exceptions noted in the federal *Guidance*.

UASI

UASI changes include the:

- DHS consolidated San Jose, Oakland and San Francisco into one Urban Area.
- DHS consolidated Los Angeles and Long Beach into one Urban Area.
- DHS consolidated Santa Ana and Anaheim into one Urban Area.
- DHS authorized both San Diego and Sacramento for sustainment funding only. If the DHS risk score associated with each of these cities does not increase then they will not be eligible for future UASI funding.

MMRS

The most notable change for Metropolitan Medical Response System (MMRS) is that, in past years, this was a direct grant from the federal government to the local jurisdiction. Starting with FY 06, MMRS is now granted to the state and the state, in turn, subgrants to cities pre-selected by DHS.

CCP

In FY06, California received a CCP allocation of approximately \$1.5 million. Because of the small dollar amount of these grants, DHS has removed the 80% minimum pass-through requirement that it normally places on awards to the state. The emphasis on Citizen Corps Program (CCP) elements -- such as developing and utilizing Citizen Corps councils and programs to increase citizen participation and training -- has been significantly increased at the federal level across all six HSGP initiatives and as such should be funded through these initiatives. To that end, the federal DHS has repeatedly emphasized that the involvement of citizens should be incorporated into all facets of homeland security. This marks a significant change from earlier years when all citizen-based activities were funded out of a single set-aside grant -- the Citizen Corp Program. DHS is emphasizing that citizen involvement should be a critical consideration in all HSGP grant programs.

The California Service Corps, which manages California's Citizen Corps Program, will utilize the state's allocation to develop statewide initiatives, programs and projects that have benefit for all local units of government.

The CSC will work to strengthen Citizen Corps Program implementation at the state and local level. The CSC will support numerous statewide initiatives, programs and projects to include:

Program Changes, Continued

- CCP, continued
- Sponsoring statewide/regional conferences, workshops and exercises for council and program coordinators and their volunteers;
 - Supporting Community Emergency Response Team (CERT) T-T-T and CERT T-4 Program Manager's Academy training;
 - Conducting statewide and regional CCP marketing campaigns;
 - Increasing staff support to all Citizen Corps programs – CERT, Volunteers in Police Service, Medical Reserve Corps, Fire Corps, and the Neighborhood Watch Program;
 - Developing new resources for Citizen Corps councils and programs;
 - Developing new courses for emergency managers as well as Citizen Corps and national service programs;
 - Offering guidance, technical assistance, training and support to local councils and programs;
 - Supporting ongoing coordination of state working groups to advance the field;
 - Developing SEMS/NIMS guidance for integrating Voluntary, Volunteer, and Service organizations in all hazard preparedness, response and recovery activities;
 - Providing basic and advanced Volunteer Management Plan development training for OA partnerships;
 - Coordinating the role of Voluntary, Volunteer and Service Organizations in the state's Golden Guardian Exercise;
 - Developing state, regional and local VOAD (Voluntary Organizations Active in Disasters) capacities and capabilities; and,
 - Ensuring increased state coordination in time of major disaster by supporting the state and local Volunteer Management function.

The involvement of citizens into preparedness and response activities cannot be separated from the full homeland security planning process. This is strongly emphasized in a number of the upcoming federal initiatives. California encourages its Citizen Corps councils and programs to work collaboratively to increase the level of preparedness of its most underserved communities.

In accordance with the DHS policy of full integration of citizen-based programs into the various federal programs and initiatives, Operational Areas are encouraged to continue their citizen-based programs and use available FY06 funds from the other HSGP programs. Each OA should further integrate citizen-based activities across the entire HSGP and fund its citizen-based programs in a manner appropriate to achieve local, state and national priorities. Given the federal requirements for citizen-based involvement, adequate allocations are critical for both continuity of these programs and achievement of the objectives in the National Preparedness Goal.

State Agencies

Which State Organizations may Apply?

Any state agency, department, commission, board, etc., may apply for FY 2006 Homeland Security Grant Program (HSGP 06) funding, as long as the organization:

- Has, or can obtain, appropriate state Department of Finance budget authority for awarded funds; and,
- Will comply with all grant requirements contained in the federal and state grant guidance documents, and in the Grant Assurances form.

Who may sign the Application?

The application cover sheet must be signed by the highest-level person at the state organization, or their designee. If a designee, the highest-level person at the state organization must execute and submit a Signature Authority form with the Application Package.

NOTE: The requirement for the creation of an Approval Authority Body, and that the Body must use a 20/20/20/40 funding distribution model does not apply to state organizations.

For which Programs may State Organizations Apply?

State organizations may apply for State Homeland Security Program (SHSP), Law Enforcement Terrorism Prevention Program (LETPP) and Urban Areas Security Initiative (UASI) funding under FY 06 HSGP.

What are the State Priorities for FY 06 HSGP?

While the State Homeland Security Strategy broadly describes goals, objectives and implementation steps, the state's priorities for FY 06 HSGP are:

- (1) Interoperable Communications
- (2) Catastrophic Planning
- (3) Medical Surge
- (4) Citizen Preparedness and Participation
- (5) Mass Prophylaxis
- (6) Critical Infrastructure Protection
- (7) Training for First Responders

If OHS receives applications for more funds than are available, projects will be approved in accordance with the preceding list of priorities.

If a state organization applies for any of the UASI state allocation, the funds must be used to directly support one or more pre-selected urban area(s). The application's UASI project description must describe the project AND identify the urban area(s) that will be supported by the project.

Ports

Federal Program

The FY 2005 DHS Appropriations Act provides funds for a competitive grant program to address physical security enhancements for critical national seaports. A priority for the Port Security Grant Program (PSGP) in FY 2005 is risk-based distribution of funding. As part of this focus on risk, the FY 2005 PSGP will direct the available funds to the Nation's highest risk ports, thereby ensuring federally regulated ports, terminals and U.S. inspected passenger vessels receiving the funds represent assets of the highest strategic importance nationally. To identify the most at-risk seaports, G&T worked with the United States Coast Guard and DHS Infrastructure Directorate, Risk Management Division (RMD) to develop the following risk formula:

$$\text{Risk} = \text{Consequence} \times \text{Vulnerability} \times \text{Threat}$$

The elements of each risk factor included:

- **Consequence** – people, economic, national security, port-specific special considerations (hazardous materials, oil);
- **Vulnerability** – distance from open water, number of port calls, presence of tankers; and,
- **Threat** – credible threats and incidents (intelligence community, USCG, less credible threats and incidents (operational indicators), vessels of interest.

The Nation's 129 largest volume ports were evaluated using this formula. Based on this risk-based evaluation, 11 port areas have been identified for inclusion in the FY 2005 PSG Program.

State Program Subsequent to the DHS announcement of grant funding on May 31, 2006 the Governor's Office of Homeland Security may make funding available to Port Authorities statewide from it's FY 06 HSGP grant award. The use of these additional funds will be restricted to Physical Security Enhancement Equipment, CBRNE Logistical Support Equipment, Terrorism Incident Prevention Equipment, Interoperable Communications Equipment, Detection Equipment, Personal Protective Equipment and Training.

Chapter Four

Applications

In this Chapter This chapter contains the following topics:

- Homeland Security Grant Program Application
 - Regional Approach
 - State Required Application Components
 - Regional Approach
 - When are Applications Due?
 - Application Approvals
-

**Homeland
Security Grant
Program
Application**

The Fiscal Year 2006 Homeland Security Grant Program (FY 06 HSGP) integrates the following five programs into a single application:

1. State Homeland Security Program (SHSP 06)
2. Urban Areas Security Initiative (UASI 06)*
3. Law Enforcement Terrorism Prevention Program (LETPP 06)
4. Citizen Corps Program (CCP)
5. Metropolitan Medical Response System (MMRS 06)

Also included in the California Supplement for FY 06 is the State Agency and Ports application process.

Continued on next page

**State Required
Application
Components**

A completed application will include all of the following components.

- **Application Cover Sheet with appropriate signatures:**
 - Subgrantee Authorized Agent for all applications
 - Approval Authority Body for SHSP and LETPP applications
 - Core city AND core county for UASI applications
- **Approval Authority Body member information:**
 - Name
 - Title
 - Discipline Represented
 - Mailing Address
 - Office Phone Number
 - Cell Phone Number
 - Fax Number
 - E-Mail Address
- **Completed OHS Financial Forms Workbook V 1.2**
 - Project Ledger
 - Project Description
 - Project – A thru T
 - Investment Justification – Goals and Objectives
 - Project Description
 - Need for project
 - Status of Project
 - Equipment Inventory Ledger
 - Training Roster
 - Exercise Roster
 - Authorized Agent form
- **Project Description for State Agencies and Ports**

The required application forms can be found in **Appendix B - Forms**

The **Financial Management Forms Workbook V 1.2** can be found at
<http://www.homeland.ca.gov/grants.html>

NOTE: Subgrant awards will not be made until all required application components have been approved by the state.

**Regional
Approach**

Subgrantees must take a regional approach when determining the best use of FY 06 HSGP funds. Subgrantees must consider the needs of local units of government and applicable volunteer organizations in the projects and activities included in their FY 06 HSGP application.

**When are the
Applications
Due?**

Completed applications are due no later than **Friday, June 30, 2006**. Only applications postmarked by the due date will be accepted. Additional information will be requested or accepted from subgrantees at the sole discretion of the Governor's Office of Homeland Security (OHS). Applications lost in transit are the responsibility of the applicant and will not be considered for funding.

The mailing address for all applications is:

Governor's Office of Homeland Security
ATTN: Grant Management Section
State Capitol
Sacramento, CA 95814

**Application
Approval**

The subgrantee will receive written notice of the state's approval of the subgrant application.

Appendix A

Subgrantees and Allocations

Subgrantee and Allocation information will be released after May 31, 2006.

Appendix B

FORMS

Appendix B - Forms

This appendix contains all grant forms, including:

- **Application Cover Sheet - Operational Areas**
 - for use by Operational Areas that submit applications for any or all of the following programs: SHSP, LETPP
- **Application Cover Sheet - Operational Areas with MMRS**
 - for use by Operational Areas that submit applications for any or all of the following programs: SHSP, LETPP, MMRS
- **Application Cover Sheet – UASI Jurisdictions**
 - for use by Cities that submit applications for UASI funds
- **Approval Authority Body member information**
 - must be submitted by Operational Areas that submit applications for SHSP, LETPP funds
- **SAMPLE Governing Body Resolution – for OA's and UASI's**
- **Application Cover Sheet – State Organizations**
 - for use by State Organizations
 - **SAMPLE - Signature Authority - for State Organizations**
- **Application Cover Sheet - Ports**
 - for use by Port Authorities
 - **SAMPLE - Signature Authority – for Port Authorities**
- **Grant Assurances – all applicants**

The Financial Management Forms Workbook V 1.2 can be found at
<http://www.homeland.ca.gov/grants.html> .

FY06 Homeland Security Grant Program
Application Cover Sheet for Operational Areas with MMRS Allocations (Page 1 of 2)
Applicant (county) County of Orange

Authorized Agent Information:

2644 Santiago Canyon Road
Mailing Address

Silverado, CA 92676
City, State, Zip Code

Contact Information:

Catherine Zurn, Captain
Name/Title

(714) 628-7194
Area Code/Office Telephone Number

czurn@ocsd.org
E-Mail Address

Maximum Amount Authorized

\$ 5,934,629

SHSP Amount Requested

\$ 2,956,370

LETPP Amount Requested

\$ 2,281,269

MMRS Amount Requested

\$ 696,990

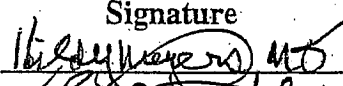
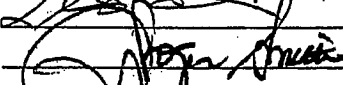
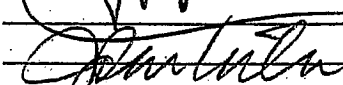
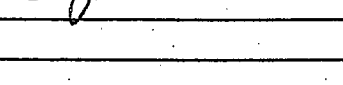
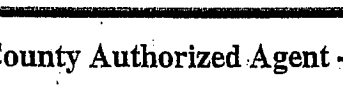
Total Amount Requested

\$5,934,629

FY06 Homeland Security Grant Program
Application Cover Sheet for Operational Areas with MMRS Allocations (Page 2 of 2)
Applicant (county) County of Orange

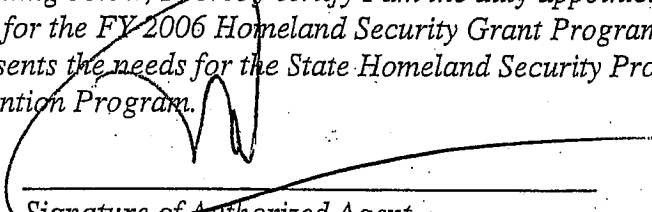
Statement of Certification - Approval Authority Body - SHSP and LETPP Only

By signing below, I hereby certify that the Operational Area's application represents the Approval Authority Body's consensus on the Operational Area's FY 2006 Homeland Security Grant Program needs for the State Homeland Security Program and Law Enforcement Terrorism Prevention Program.

Position/Designee	Signature	Printed Name	Title
County Public Health Officer		Dr. Hildy Meyers	Public Health Officer
County Fire Chief		Chip Prather	Chief, Fire Authority
Municipal Fire		Roger Smith	Anaheim Fire Dept.
County Sheriff		Michael S. Carona	Sheriff-Coroner
Chief of Police		John Welter	Chief, Anaheim Police Dept.

Statement of Certification - County Authorized Agent - SHSP, LETPP, MMRS

By signing below, I hereby certify I am the duly appointed Authorized Agent and have the authority to apply for the FY 2006 Homeland Security Grant Program, and the Operational Area's application represents the needs for the State Homeland Security Program and Law Enforcement Terrorism Prevention Program.


Signature of Authorized Agent

Sheriff-Coroner
Title

Michael S. Carona
Printed Name

Date

6/27/06
MICHAEL S. CARONA

<i>For State Use ONLY</i>	
Application reviewed/Grant award approved by: _____	
Name	Date
Grant Performance Period: _____	
OES ID#	Award #

Attachment D

Governing Body Resolution
(For Operational Areas and Urban Area's)

BE IT RESOLVED BY THE _____
(Governing Body)

OF THE _____ THAT
(Name of Applicant)

_____, OR
(Name or Title of Authorized Agent)

_____, OR
(Name or Title of Authorized Agent)

_____, OR
(Name or Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the named applicant, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California.

Passed and approved this _____ day of _____, 20____

Certification

I, _____ duly appointed and
(Name)

_____ of the _____
(Title) (Governing Body)

do hereby certify that the above is a true and correct copy of a resolution passed and approved by

the _____ of the _____ on the
(Governing Body) (Name of Applicant)

_____ day of _____, 20____

(Official Person)

(Signature)

(Date)

Office of Homeland Security

Grant Assurances

(All Applicants)

Name of Applicant:

Address:

City:

State:

Zip Code:

Telephone Number:

Fax Number:

E-Mail Address:

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Has the legal authority to apply for federal assistance, and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant provided by the federal Department of Homeland Security and sub-granted through the State of California.
2. Will assure that grant funds are only used for allowable, fair, and reasonable costs.
3. Will give the federal government, the General Accounting Office, the Comptroller General of the United States, the State of California, through any authorized representative, access to and the right to examine all paper or electronic records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or awarding agency directives.
4. Will provide progress reports and such other information as may be required by the awarding agency.
5. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
6. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business or other ties.
7. Will comply, if applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures. Will comply with all federal statutes relating to nondiscrimination. These include but are not limited to:

- a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended, which prohibits discrimination on the basis of race, color or national origin;
 - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686), which prohibits discrimination on the basis of sex;
 - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps;
 - d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age;
 - e. The Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse;
 - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - g. §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;
 - i. Title 28, Code of Federal Regulations, Part 42, Subparts C, D, E and G;
 - j. Title 28, CFR, Part 35;
 - k. Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and
 - l. The requirements on any other nondiscrimination statute(s) which may apply to the application.
8. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq. (P.L. 91-646)) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs. These requirements apply to all interested in real property acquired for project purposes regardless of federal participation in purchases.
 9. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
 10. Will comply with environmental standards which may be prescribed pursuant to the following:
 - A. institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514;
 - B. notification of violating facilities pursuant to EO 11738;
 - C. protection of wetlands pursuant to EO 11990;
 - D. evaluation of flood hazards in floodplains in accordance with EO 11988;
 - E. assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.);
 - F. conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.);
 - G. protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and

- H. protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
 - I. California Environmental Quality Act (CEQA). California Public Resources Code Sections 21080-21098. California Code Regulations, Title 14, Chapter 3 Section 15000-15007.
11. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et. seq.) related to protecting components or potential components of the national wild and scenic rivers system.
 12. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
 13. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447 and 2448.
 14. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the applicant's application for federal assistance. Will, after the receipt of federal financial assistance, through the State of California, agree to the following:
 - A. Promptly return to the State of California all the funds received which exceed the approved, actual expenditures as accepted by the federal or state government.
 - B. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
 - C. Separately account for interest earned on grant funds, and will return all interest earned, in excess of \$100 per federal fiscal year.
 15. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
 16. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.
 17. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
 18. Will comply, if applicable, with the Laboratory Animal Welfare Act of 1966 (P. L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
 19. Will comply with the minimum wage and maximum hour provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education,

hospitals, and other non-profit organizations.

20. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Section 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for federally assisted construction sub-agreements.
21. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension."
22. Agrees that:
 - A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement;
 - B. If any other funds than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or an employee of Congress, or employee of a Member of Congress in connection with the federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;
 - C. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers including subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all sub recipients shall certify and disclose accordingly.
 - D. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
23. Agrees that equipment acquired or obtained with grant funds:
 - A. Will be made available under the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant.
 - B. Is consistent with needs as identified in the Terrorism Annex to the State's Emergency Plan, and will be deployed in conformance with that plan.
 - C. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
24. Agrees that funds awarded under this grant will be used to supplement existing funds for program activities, and will not supplant (replace) non-federal funds.

25. Will comply with all applicable Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars A-87 and A-133, E.O. 12372 and Uniform Administrative Requirements for Grants and Cooperative Agreements contained in Title 28, Code of Federal Regulations, Part 66, that govern the application, acceptance and use of Federal funds for this federally-assisted project.
26. Will comply, and assure the compliance of all its subgrantees and contractors, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provision of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1, and all other applicable Federal laws, orders, circulars, or regulations.
27. Will comply with provisions of 28 CFR applicable to grants and cooperative agreements, including Part 18, Administrative Review Procedures; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination/Equal Employment Opportunities Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 64, Floodplain Management and Wetland Protection Procedures; and Federal laws or regulations applicable to Federal Assistance Programs.
28. Will ensure that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of this project are not listed in the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the Federal Grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
29. Will comply with Subtitle A, Title II of the Americans with Disabilities Act (ADA) 1990.
30. Will, in the event a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds or race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs.
31. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.
32. Will comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
33. Will comply, if applicable, with the provision of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
34. Will comply with all applicable requirements of all other federal laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this program.
35. Understands that failure to comply with any of the above assurances may result in suspension, termination or reduction of grant funds.

36. As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR part 67, Section 67.510

A. The applicant certifies that it and its principals:

- a) Are not presently debarred, suspended. Proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State of Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
- b) Have not within three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c) Are no presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and (d) have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

37. As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620

A. The applicant certifies that it will or will continue to provide a drug free workplace by:

- a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibitions;
- b) Establishing an on-going drug-free awareness program to inform employees about
 - 1. The dangers of drug abuse in the workplace;
 - 2. The grantee's policy of maintaining a drug-free workplace;
 - 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a)

- d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
1. Abide by the terms of the statement; and
 2. Notify the employer in writing of his or her conviction for violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

- e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:

Department of Justice, Office of Justice Programs,
ATTN: Control Desk,
633 Indiana Avenue, N.W., Washington, D.C. 20531

Notice shall include the identification number(s) of each affected grant;

- f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted
1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: _____

Printed Name of Authorized Agent:

Title:

Date: _____

Attachment B

2006 Homeland Security Grant Programs Attachment B

Project Title	Description	Amount
800 MHz Microwave Tower Upgrades	This project is to upgrade the digital microwave system that was implemented in 1993. The life expectancy for such a system is 10 to 15 years. The current equipment has now been in service for 13 years. Presently, the system is at, or near, maximum capacity. In addition, the system was not originally designed to support current transport technologies, including Ethernet, Voice Over Internet Protocol, and video. The proposed upgrade will provide these transport capabilities, as well as increased reliability, ease of service, higher system capacity to support future communications systems, increased system bandwidth to support interagency connectivity, and Simple Network Management Protocol (SNMP) alarm and control, providing increased remote radio site security and secure routing of critical network data to new Mesh and Hot Spot radio systems.	\$1,241,293 From LETPP Grant Funds
Fire Agencies AVL/GIS/Wireless Network	The Orange County Wireless Interoperability and GIS Project will establish a county wide shared mobile data network enabling improved interoperability among Orange County fire agencies. The project leverages existing infrastructure by combining and enhancing two existing smaller mobile data networks. Combining and enhancing the existing networks will result in a single dual-frequency system that covers the entire County. The project adds encryption and compression functionality and establishes a framework and infrastructure for implementation of Automatic Vehicle Location (AVL) in 2007. The project will also establish a governance and support system that allows all fire agencies the ability to use the system.	\$573,736 From SHSG
PPE Replenish	Personal Protective Equipment with enclosing expiration dates will be replenished.	\$150,000 From SHSG
Joint Hazard Assessment Team	The Joint Hazard Assessment Team is comprised of HazMat, SWAT and Bomb Squad personnel. Advanced levels of PPE and training are required to ensure the safety of the JHAT team members when they respond to an incident that requires their expertise.	\$263,287 From SHSG and \$219,830 From LETPP
MIR 3	MIR 3 is a first responder notification system that allows the end user to communicate critical events in a timely and managed fashion using various types of communication.	\$150,000 From SHSG
IMAP	IMAP is a software program that organizes information into a response folder by location. Every County key asset and critical infrastructure will have a response folder stores within the IMAP system. This program is used by first responders only.	\$50,000 From SHSG
EOC Upgrades	This project is to determine baseline needs for City Emergency Operations Center within Orange County. Equipment will be purchased to bring individual cities to the baseline requirement to ensure they are able to utilize previously purchased grant equipment.	\$120,000 From SHSG
Training	To sustain ongoing training for Command Officer Response to Terrorism, Law Enforcement Response to Terrorism, Terrorism Liaison Officer and other State approved training programs.	\$286,768 From SHSG And \$221,283 From LETPP

Project Title	Description	Amount
CERT	To continue the coordination and baseline efforts of the CERT Mutual Aid Program. This group meets monthly to establish baseline needs of CERT equipment and training for a mutual aid response in the event of a disaster.	\$175,000 From SHSG
MMRS	The Metropolitan Medical Response System allocated funds for Anaheim Fire Dept., Huntington Beach Fire Department and Santa Ana Fire Department. These funds are passed through to these cities to manage. The County retains 3% for Administrative and Management costs.	\$676,080 From MMRS